
Z-2490
SHERYL WEIST
AW to A

STAFF REPORT
May 10, 2012

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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is the property owner along with Michael C. Weist, is requesting rezoning of a 1.748 acre portion of an 8.9 acre tract (the part of the tract which lies above the Flood Plain zone) located at 6940 SR 26 East, Perry 21 (SW) 23-3. Petitioner plans to add on to the existing house on site and make the structure a duplex.

ZONING HISTORY AND AREA ZONING PATTERNS:

The 8.9 acre site in question was at one time entirely zoned Flood Plain. The South Fork of the Wildcat Creek runs through petitioner's property; the confluence of the South and Middle Forks is only a quarter mile to the north. In 1985, fill dirt was added to the site; a Flood Plain Certification was done and 1.748 acres were found to be above the elevation of the 100 year flood. At that time, property taken out of the FP zone that was surrounded by FP zoning, automatically became zoned FC, Forestry Conservation. The FC zone became the current AW, Agricultural Wooded zone with the adoption of NUZO in 1998.

Surrounding properties are a mix of FP and AW zoning.

AREA LAND USE PATTERNS:

The site has an existing house and pole barn within the confines of the area above the flood plain. Most properties in the area are unplatted large-lot residences.

There is a 25' building setback from the FP zoning district; construction within 100' of the FP zone is required to meet the Flood Protection Grade. This means the lowest floor of any building is required to be 2' above the FP elevation. It is not clear if petitioner can add on to the existing house and meet these criteria.

TRAFFIC AND TRANSPORTATION:

This request would not affect traffic in the area. The property is served by a shared off-site driveway from SR 26 E. Whether or not a driveway permit would be necessary for this minor change of use would be the decision of the Crawfordsville Office of INDOT.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The site is served by individual septic system and well. A letter from the County Health Department states that, the office "has no objection to the proposed rezoning..." The letter continues that, "The single-family dwelling which will be a duplex is served by an

onsite sewage disposal system and private water well. The soils at this site are well drained with no seasonal high water table or limiting layers such as a dense till or bedrock. The Health Department would allow the existing system to be replaced in the area of the soil borings if it would become necessary due to a failure to function properly.”

STAFF COMMENTS:

There are few differences between the AW, Agricultural Wooded zone and the A, Agricultural zone; one of them is the fact that duplexes are permitted by right in the A zone but not permitted in the AW zone. (This is a leftover from the time period when some farmsteads had an attached unit for a farmhand and his family.) Likewise, there are few uses allowed by right in the A zone that are not also allowed by right in the AW zone. The one or two uses that could possibly be considered incompatible that are permitted in the A zone, would not fit within the small confines of petitioner’s A zoned area. Therefore an island of Agricultural zoning will not negatively impact the surrounding properties, and staff can support this request.

STAFF RECOMMENDATION:

Approval